

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

MADISEN ULRICH,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No: 3:20-cv-1018-RAH
	)	
319 BRAGG STUDENT HOUSING	)	
AUBURN, AL, et al.,	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COME NOW Defendants 319 Bragg Student Housing Auburn, AL LLC (hereinafter singularly “Bragg”) and GREP Southeast, LLC (hereinafter singularly “GREP”) (collectively hereinafter “Defendants Bragg and GREP”), Defendants in the above-captioned matter, and in accordance with the Order of this Court, and pursuant to Rule 56(a) of the *Federal Rules of Civil Procedure*, hereby move the Court for summary judgment on all claims asserted against these Defendants by the Plaintiff.

Defendants Bragg and GREP are entitled to summary judgment on all of the Plaintiff’s claims because there exist no genuine disputes of fact that the Plaintiff was contributorily negligent, and that these negligent acts were the sole, proximate cause of her alleged injuries. As such, Defendants Bragg and GREP are entitled to judgment as a matter of law on the issues of negligence and wantonness. Accordingly, Defendants Bragg and GREP hereby submit their Brief in Support of the Defendants’ Motion for Summary Judgment, attached hereto as “Exhibit 1.” The following evidentiary submissions are also attached hereto, and referenced by page and line number in these Defendants’ Brief, as set forth below:

Exhibit A: Doc. 83-1

Exhibit B: Doc. 61  
Exhibit C: Doc. 85-1  
Exhibit D: Doc. 86  
Exhibit E: Doc. 106  
Exhibit F: Doc. 69-1  
Exhibit G: Doc. 85-23  
Exhibit H: Doc. 104-1  
Exhibit I: Doc. 85-2  
Exhibit J: Doc. 1  
Exhibit K: Doc. 85-20  
Exhibit L: Doc. 85  
Exhibit M: Doc. 103-1

WHEREFORE, PREMISES CONSIDERED, Defendants Bragg and GREP respectfully move this Court for an entry of summary judgment in their favor on all of the Plaintiff's claims, pursuant to Rule 56(a) of the *Federal Rules of Civil Procedure*.

Respectfully submitted,

/s/ David M. Wilson  
DAVID M. WILSON (ASB-1797-271d)  
Attorney for the Defendants  
319 Bragg Student Housing Auburn, AL LLC  
and GREP Southeast, LLC

**OF COUNSEL:**  
GAINES GAULT HENDRIX, PC  
361 SUMMIT BLVD.  
SUITE 200  
BIRMINGHAM, AL 35243  
(205) 402-4834 (OFFICE DIRECT)  
EMAIL: [DWILSON@GGH-LAW.COM](mailto:DWILSON@GGH-LAW.COM)

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon all parties in this cause by electronic mail using the CM/ECF system on this the 14<sup>th</sup> day of December, 2021.

*Attorney for Plaintiff:*

Nick Wooten  
NICK WOOTEN, LLC  
5125 Burnt Pine Drive  
Conway, Arkansas 72034  
[nick@nickwooten.com](mailto:nick@nickwooten.com)

/s/David M. Wilson  
OF COUNSEL